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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/904,572 Confirmation No. : 2326  
Applicant : David W. AGAR, et al.  
Filed : July 16, 2001  
TC/A.U. : 1746  
Examiner : M. Wills  
Docket No. : 225/50177  
Customer No. : 23911  
Title : Fuel Cell System with Device for Water Recovery and  
Method of Operating Such a System

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This supplements the Information Disclosure Statement submitted in the  
above-identified application on July 16, 2001.

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant  
hereby notifies the U.S. Patent and Trademark Office of the documents which  
are listed on the attached Form PTO-1449 and/or listed herein and which the  
Examiner may deem relevant to patentability of the claims of the above-  
identified application.

English abstracts are submitted for the references listed on the PTO 1449  
as AB, AF, and AG.

In compliance with the concise explanation requirement under 37 C.F.R.  
§ 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy

of a corresponding European Search Report citing the documents listed on the PTO 1449 as AA-AD, together with an English-language version of that portion of the Search Report indicating the degree of relevance found by the foreign office.

Applicant also encloses herewith a copy of a corresponding German Office Action citing the documents listed on the PTO 1449 as AE-AH.

The present Information Disclosure Statement is being filed after either a final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith a check in the amount of \$180.00 under 37 C.F.R. § 1.17(p) and a Statement Under 37 C.F.R. § 1.97(e).

I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, the paper should be considered as a petition for consideration of the Information Disclosure Statement under 37 C.F.R. § 1.97(d)(2) and that

the petition fee set forth in 37 C.F.R. § 1.17(i) in accordance with 37 C.F.R.

§ 1.97(d)(3) should be charged to Deposit Account 05-1323, Docket No.:

095309.50177.

Respectfully submitted,

A handwritten signature in cursive script, reading "Gary R. Edwards", written over a horizontal line.

Gary R. Edwards

Registration No. 31,824

August 10, 2004

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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	09/904,572
		Filing Date	July 16, 2001
		First Named Inventor	David W. AGAR
		Art Unit	1746
		Examiner Name	M. Wills
Sheet 1 of 1	Attorney Docket Number	225/50177	

U.S. PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
	AA	US- 6,013,385		01-11-2000	Ronald Arthur DuBose	
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				

FOREIGN PATENT DOCUMENTS						
Examiner Initials'	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> –Number <sup>4</sup> –Kind Code <sup>5</sup> (if known)				
	AB	JP 63218166	09-12-1988	Hitachi, Ltd.		AB
	AC	DE 197 26 210	12-24-1998	Ruhrgas AG		
	AD	WO 99/54667	10-28-1999	Gastec N.V.		
	AE	WO 01/78178	10-18-2001	International Fuel Cells, LLC		
	AF	DE 19704888	08-13-1998	BHF Verfahrenstechnik GmbH		AB
	AG	DE 19902219	06-08-2000	Daimler Chrysler AG		AB
	AH	DE 193260	12-10-1907			

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.